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/Catherine Wiltzak/ (11/10/2008)

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A needle protector for use with a needle assembly that includes a piercing end, a hub and a plastic tube attached to the hub, said protector comprising:

a body including proximal and distal open end;

a plurality of side walls extending between the said proximal and distal open ends, said side walls defining an interior chamber, wherein said distal open end is adapted to receive the hub of a needle assembly;

wherein said proximal open end is comprised of an end wall, said end wall defining an ~~enclosed~~ aperture sized so that said hub cannot pass through said proximal open end, said ~~enclosed~~ aperture defining a multiple profile window including a first profile sized and shaped to slidably receive said tubing and a second profile sized and shaped to retain said tubing, said aperture being completely enclosed by said end wall such that said tubing is contained within said aperture;

wherein at least one of said side walls includes a flexible retaining member adapted for contacting said hub of said needle assembly and spaced a sufficient distance from said distal end such that when said needle hub is in the fully retracted position said piercing end is completely contained within said interior chamber; and

wherein one of said side walls further ~~includes and defines~~ comprises a longitudinally extending depression in the interior surface of said one of said side walls

thereby defining an internal groove extending axially from said first open distal end to said open proximal end[[:]].

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Canceled)

7. (Previously Presented) The needle protector of Claim 1 wherein said side wall opposite said side wall including said retaining member, defines said groove.

8. (Canceled)

9. (Original) The needle protector of Claim 1 wherein said body further comprises an outwardly extending radial flange at said open distal end.

10. (Original) The needle protector of Claim 1 further comprising a cap associated with said open distal end.

11. (Currently Amended) A needle protector assembly comprising a needle assembly, including a piercing end attached to one end of a hub and a length of tubing attached to the opposite end of said hub, said hub further comprising a rib extending outwardly therefrom;

a body including proximal and distal open ends;

a plurality of side walls extending between said proximal and distal open ends, wherein said distal end is adapted to receive the hub of said needle assembly, wherein one of said side walls includes a flexible retaining member adapted for contacting said hub of said needle assembly and spaced a sufficient distance from the distal end such that when said needle hub is in the fully retracted position said piercing end is

completely contained within said interior chamber and wherein another of said side walls further ~~includes and defines~~ comprises a longitudinally extending depression in the interior surface of said one of said side walls thereby defining an internal groove extending axially from said first open distal end to said open proximal end; and

wherein said proximal open end is comprised of an end wall, said end wall defining an ~~enclosed~~ aperture sized so that said hub cannot pass through said proximal open end, said ~~enclosed~~ aperture comprising a multiple profile window including a first profile sized and shaped to slidably receive said tubing and a second profile sized and shaped to retain said tubing, said aperture being completely enclosed by said end wall such that said tubing is contained within said aperture.

12. (Previously Presented) The needle protector of Claim 1 wherein one of said side walls defines a slot for viewing said interior chamber.

13. (Previously Presented) The needle protector of Claim 1 comprising a unitary single piece body of a substantially transparent plastic material.

14. (Previously Presented) The needle protector of Claim 1 wherein said multiple profile window includes a dual profile window consisting of a smaller cross section profile and a larger cross section profile.

15. (Previously Presented) The needle protector of Claim 14 wherein the smaller cross section profile is sized to substantially retain said tubing.

16. (Previously Presented) The needle protector of Claim 14 wherein the larger cross section profile is sized to allow for free movement of said tubing therethrough.

17. (Previously Presented) The needle protector of Claim 11 wherein said proximal open end comprises a multiple profile window adapted to selectively slidably receive and retain said tubing.

18. (Previously Presented) The needle protector of Claim 17 wherein said multiple profile window includes a dual profile window consisting of a smaller cross section profile and a larger cross section profile.
19. (Previously Presented) The needle protector of Claim 18 wherein the smaller cross section profile is sized to substantially retain said tubing.
20. (Previously Presented) The needle protector of Claim 18 wherein the larger cross section profile is sized to allow for free movement of said tubing therethrough.
21. (Previously Presented) The needle protector of Claim 11 wherein one of said side walls defines a slot for viewing said interior chamber.
22. (Canceled)
23. (Canceled)
24. (Previously Presented) The needle protector of Claim 11 wherein said side wall opposite said side wall including said retaining member, defines said groove.
25. (Canceled)
26. (Previously Presented) The needle protector of Claim 11 wherein said body further comprises an outwardly extending radial flange at said open distal end.
27. (Previously Presented) The needle protector of Claim 11 further comprising a cap associated with said open distal end.
28. (Previously Presented) The needle protector of Claim 11 comprising a unitary body comprised of a substantially transparent plastic material.
29. (Canceled)